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INTEGRATION OF HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE: VIOLENCE AGAINST WOMEN

Letter dated 1 and 27 May 2002 from the Permanent Representative of Bangladesh to the United Nations Office at Geneva addressed to the Chairperson of the Commission on Human Rights

I have the honour to refer to the report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, entitled "Cultural practices in the family that are violent towards women", contained in document E/CN.4/2002/83, which was submitted to the Commission on Human Rights at its fifty-eighth session.

I enclose herewith a letter dated 30 April 2002 which I sent to the Special Rapporteur. I request that the attached letter* be circulated as an official document of the fifty-ninth session of the Commission on Human Rights under agenda item 12 (a).

(Signed): Toufiq ALI
Ambassador
Permanent Representative

Note: Documents bearing the symbol E/CN.4/.../G contain communications from Governments.

* Reproduced as received, in the language of submission only.

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Annex

No. BMG/CHR-306/02 30 April 2002

Dear Ms. Coomaraswamy,

I refer to your Report on "Cultural practices in the family that are violent towards women", contained in document E/CN.4/2002/83 which was submitted to the fifty-eighth session of the Commission on Human Rights. We welcome your efforts at preparing the Report, which is on a subject of vital importance. We have examined the Report carefully and would like to offer some comments on it.

In paragraph 23 under section B (Honour killings), in reference to a Washington Post Foreign Service Report it has been stated that between 1996 and 1998 in Bangladesh, "about 200 women were attacked with acid by husbands or close relatives". Reference to acid attack crimes under the section dealing with "honour killings" is misleading and gross misrepresentation of the situation in Bangladesh, where honour killings are not practiced. Honour killing, as we all know, is a particular type of crime usually carried out in the name of protecting the honour of the family, typically against a female by male relatives. Acid attacks clearly do not fall into this category.

Acid attacks, as you have rightly stated in paragraph 57 of your report, is a despicable act of violence against women, generally when they spurn the advances or marriage proposal of a man. These attacks are committed for purely personal reasons by individuals. The aggrieved, and those seeking justice, include the families of the victims. Although the vast majority of acid attacks are carried out against women, men too have been targeted. Acid attacks have been identified as one of the worst forms of violence by the government and the society. In response to widespread concern against acts of acid crimes, the Government has taken numerous measures to address this problem, including the adoption last month of the comprehensive "Acid Crimes Control Act 2002". The new law makes acid crimes the highest punishable offence, providing for strict regulation of acid production and movement, as well as treatment and rehabilitation of the victims and adoption of procedures for expeditious trial of acid crimes.

In paragraph 35 under the same section, it has been stated that "honour defences" are found in the Penal Codes of Bangladesh. To our knowledge, our Penal Code does not have any such provisions for what you state as "honour defences". As our society neither allows nor condones "honour killings" no such provisions would be acceptable in our laws. I would request you to please provide us with a clarification on the matter.

Protecting and promoting the rights of women is a Constitutional commitment for Bangladesh and one that is taken very seriously by the Government and civil society. True to this commitment, we were one of the first countries to sign and ratify the Optional Protocol to CEDAW in September 2000, along with the two Optional Protocols to the Convention on the Rights of the Child. We are a party to all the major international human rights instruments, including those relating to the rights of women. We support the UN human rights special and thematic procedures mechanism and remain committed to their effective fulfillment. In this context, we welcomed your visit to Bangladesh in November 2000. During your visit, you were completely free to meet any person or visit any place. It is unfortunate therefore, that instead of relying on first hand information that you could have obtained during your visit you have quoted the May 2000 edition of the Washington Post Foreign Service Report in referring to acid crimes.

We regret the inclusion of such misleading, unsubstantiated and sweeping generalization to the situation in Bangladesh in your Report. Inaccurate reporting, we believe, only contributes to undermining the credibility of the special procedure system and the process of genuine and constructive cooperation. We also regret the fact, that there was no reference to the various measures and efforts undertaken in Bangladesh to address violence against women, in particular those dealing with acid attack crimes. We request you to issue a corrigendum to the Report, correcting the misinformation on Bangladesh.

I would like to reiterate our support and appreciation for your efforts in fulfilling your mandate. I also assure you that your observations and recommendations on Bangladesh would receive the serious consideration of my Government.

With regards,

Sincerely,

(Toufiq Ali)

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